



PATENT  
Customer No. 22,852  
Attorney Docket No. 05788.0171

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Marco NASSI et al. ) Group Art Unit: 2827  
 )  
Application No.: 09/885,940 ) Examiner: J. Norris  
 )  
Filed: June 22, 2001 )  
 )  
For: SUPERCONDUCTING CABLE )

Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Office Action dated May 7, 2003, please reexamine and reconsider the application in view of the appended remarks.

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**REMARKS**

I. Election of Claims Under 35 U.S.C. §121

In the Office Action dated May 7, 2003, the Examiner required election under 35 U.S.C. § 121 between Claims 20-35 (Group I) and 36-38 (Group II). In response to the restriction requirement, Applicants elect without traverse to prosecute Group I, Claims 20-35, drawn to a product classified in Class 174, subclass 125.1.

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II. Election of Species Under 35 U.S.C. §121

In the Office Action, the Examiner has required an election of a single disclosed species from three patentably distinct species. The Examiner stated that Claim 20 appears to be generic. Should the Examiner find Claim 20 to be allowable, Applicants expect all of the dependent claims directed to all alleged species to be examined and allowed with the generic claim. In order to be responsive to the Office Action, Applicants elect without traverse to prosecute Species b1 that corresponds to the tubular supports spirally wound according to the Examiner. Applicants submit that at least Claims 20-35 are readable on this elected species.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 4, 2003

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